

TOWN OF SEEKONK

Warrant/Minutes



November 8, 2021

FALL TOWN MEETING

Town Moderator

Peter Hoogerzeil

Town Clerk

Florice Craig

Board of Selectmen

Justin Sullivan, Chairperson

Christopher Zorra, Vice
Chairperson

Adam Petronio, Clerk

David Andrade

Michael Healy

Finance Committee

Matthew Salisbury, Chairperson

Michael Brady

Derick Medeiros

Phillip Yan

Normand Duquette

Michael Bradley

Nelson Almeida

Town Administrator

Shawn E. Cadime

TOWN OF SEEKONK – FALL TOWN MEETING

Bristol, SS

11/8/2021

Town Clerk opened meeting with the Pledge of Allegiance:

Town Clerk read the greeting: In the name of the Commonwealth of Massachusetts, you are hereby requested to notify the inhabitants of the Town who are qualified to vote in Town affairs, to meet at Seekonk High School, 261 Arcade Avenue, Seekonk, Massachusetts on:

Monday, November 8, 2021 at 7:00 P.M.

To vote on the following Articles. The meeting was called to order by the Town Clerk at 7:08PM with a quorum of over 75 registered voters and the meeting was turned over to the Town Moderator, who presided over the meeting.

Town Moderator went on to describe the new Electronic Voting System and presented a Power Point presentation and test questions for the audience. This was done to familiarize everyone with the new voting system. It was a success and the meeting continued.

The Town Moderator explained he would take a hand count vote for the first (3) three motions made by him.

Town Moderator made a motion to allow the following non-residents to speak at the meeting:

Shawn Cadime, Town Administrator; Carol-Ann Days, Asst. Town Administrator & Human Resource Director; Bruce Alexander, Director of Finance; Christine DeFontes, Treasure/Collector; Kate Hibbert, Library Director; Brittney Faria; Director, Human Services Council; John Aubin, III Town Planner; Dr. Richard Drolet, School Superintendent; Jill Brilhante, School Dept. Finance Administrator; Counsel, KP LAW; James LaFlame, Veterans Agent; Jennifer Miller, Conservation Agent; Rob Bernardo, Water Superintendent; Brian Darling, Health Agent, Police Chief, Dean Isabella; Fire Chief, Sandra Lowery; Communication's Director, Donna Wunschel, Asst. Director of Dept. of Public Works, Scott Olobri; Animal Control Officer, Andrea Russo.

Action on the motion: Motion passed with a unanimous vote.

Town Moderator made a motion to allow the Town Moderator to proceed with all articles, even those that affect him/her personally.

Action on the motion: Motion passed with a unanimous vote.

Town Moderator made a motion to allow the Town Moderator to declare a 2/3 vote on article requiring that vote.

Action on the motion: Motion passed with a unanimous vote.

ARTICLE 1

To receive the reports, if any, of Town Officers or Committees and to act thereon, or take any action relative thereto.

Motion 1: **A Motion was made that the Town vote to receive the reports, if any, of Town Officers or Committees and to place them on file with the Town Clerk.**

Action on the motion: Motion passed.

Jacqueline Proulx, Chairman of the Aitken School Expansion Bldg., Committee gave a report. James Tusino, of the Housing Authority gave a report.

ARTICLE 2

To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury or transfer from designated funds that have been reserved for appropriation the sums detailed below in accordance with the Financial Policies of the Town of Seekonk adopted by the Board of Selectmen, April 2021, or take any other action relative thereto.

- a. The sum of \$451,664.00 from Free Cash to the Stabilization Fund
- b. The sum of \$451,664.00 from Free Cash to the Municipal Capital Stabilization Fund.
- c. The sum of \$451,664.00 from Free Cash to the Building & Infrastructure Stabilization Fund
- d. The sum of \$451,664.00 from Free Cash to the Other Post-Employment Benefits (OPEB) Trust Fund

Motion 2: **A motion was made that the Town transfer from Free Cash the sums detailed below in accordance with Financial Policies adopted by the Board of Selectmen, April 2021.**

- a. The sum of \$451,664.00 from Free Cash to the Stabilization Fund
- b. The sum of \$451,664.00 from Free Cash to the Municipal Capital Stabilization Fund
- c. The sum of \$451,664.00 from Free Cash to the Building & Infrastructure Stabilization Fund
- d. The sum of \$451,664.00 from Free Cash to the Other Post-Employment Benefits

Action on the motion: Motion passed.

ARTICLE 3

To see if the Town will vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts by inserting a new section as follows:

4.2.6 Prohibited Uses

Except as may be otherwise provided for by Massachusetts General Law Chapter 40A, Section 3 and other uses or facilities otherwise exempted in accordance with the provisions of General Law and regulations of the Commonwealth of Massachusetts; any use which is not specifically listed as a permitted use, by right or conditionally by special permit, in the foregoing Sections 4.2.1 through 4.2.6 is a prohibited use. For the purposes of greater specificity, however, the following uses are prohibited in the Town of Seekonk:

- (a) Acid manufacture including hydrochloric, nitric, picric or sulfuric acid;
- (b) Asbestos and asbestos product manufacturing, assembly or processing;
- (c) Bulk storage for industrial purposes or wholesale distribution of chlorine or other similar noxious or toxic gases;
- (d) Concrete or asphalt batch or similar manufacturing plants;
- (e) Extraction of underground water resources for wholesale, bottling, and, or retail distribution purposes. This prohibition shall not apply to the extraction, treatment and distribution of underground water resources as part of the public drinking water supply;
- (f) Glue manufacture;
- (g) Junkyard for storage, keeping or abandonment of junk including scrap metal or other scrap waste material, or for the dismantling, demolition or abandonment of automobile or other vehicles, machinery or parts thereof;
- (h) Landfill and or solid waste transfer station for commercial on-site disposal of non-hazardous refuse or for the temporary storage, sorting, or processing of solid waste;
- (i) Leather or fur tanning and finishing;
- (j) Nuclear industries and explosives;
- (k) Petroleum/ LNG products (bulk storage for wholesale distribution) – bulk storage of petroleum products, propane storage; bulk storage of liquified petroleum gas, liquified nitrogen gas (other gases stored under pressure or temperature) for wholesale distribution purposes are not permitted;
- (l) Petroleum refining including coal distillation manufacture and derivation of the by-products; manufactured gases from petroleum and petroleum by-products; tar distillation or tar products manufacture related industries for the manufacture of household products derived from petroleum, including flooring material, paving and roofing materials;
- (m) Power plant, incinerator and waste facility – steam or electricity generating facility powered by natural gas or oil; power plant powered by solid wastes, or other power generating incinerator;
- (n) Prison or correctional institution;
- (o) Pulp and paper mill;
- (p) Rendering or refining of fats or oils;

- (q) Slaughter of animals and distillation of bones(industrial) except as provided for by Massachusetts General Law Chapter 40A, Section 3 ;
- (r) Stockyards and feeding pens (industrial);
- (s) Storage and processing of medical waste as a principal use including the transport of medical wastes or medical by-products to a site for the purpose of containment and/ or processing and disposal; and
- (t) Tobacco processing.

Motion 3: Motion was made to have the Town amend the Zoning Bylaws of the Town of Seekonk; Massachusetts as presented in this warrant.

2/3 Vote Required

Action on the motion: Motion passed by a 2/3 vote.

ARTICLE 4

To see if the Town will raise and appropriate, transfer from free cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the following sums to be expended for department equipment and all incidental and related expenses, including new or continuing leases for such equipment, and further to authorize the appropriate Town officials to enter into contracts for more than three years for such purposes, as applicable, or take any other action relative thereto:

- a. From the Special Education Stabilization Fund the sum of \$93,077.00 to support the construction expense of the School Department's Age 18 to 22 year old Transition Program, including site preparation, demolition and all other incidental and related expenses.

Motion 4: Motion was made that the Town appropriate the sum of \$93,077.00 from the Special Education Stabilization Fund for the construction expense for the 18 to 22 year old Transition Program, including site preparation, demolition and all other incidental and related expenses, to be expended under the direction of the School Committee.

Action on the motion: Motion failed the 2/3 majority.

ARTICLE 5

To see if the Town of Seekonk will vote to accept as public ways the layouts identified and described as follows, Hidden Hills Drive as shown on a Plan of Land entitled "Definitive Subdivision Plan of Hidden Hills" Assessors Map 17 Lot 113 & 118 Seekonk Massachusetts" recorded with Bristol County Northern District Registry of Deeds in Plan Book 515, Page 72, which was approved by the Planning Board of the Town of Seekonk on June 12, 2018, copies of which are on file with the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith, or take any other action thereto:

Hidden Hills Drive

Motion 5: A motion was made that the Town vote to accept the layout of the public ways known as Hidden Hills Drive as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an interest in said may be necessary or appropriate to create such public way.

Action on the motion: Motion passed

ARTICLE 6

To see if the Town will raise and appropriate, transfer from free cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$220,000.00 for the engineering, septic design, and replacement of the failed system at Seekonk Town Hall, including but not limited to replacement of the storage tank and leaching field, and all other incidental and related expenses or take any other action relative thereto:

Motion 6: Motion was made that the Town appropriate from free cash the sum of \$220,000.00 for the engineering, septic design, and replacement of the failed system at Seekonk Town Hall, 100 Peck Street, including but not limited to replacement of the storage tank and leaching field, and all other incidental and related expenses, to be expended

Action on the motion: Motion passed

ARTICLE 7

To see if the Town will vote to raise and appropriate, transfer from Free Cash or available funds in the treasury, including funds reserved for appropriation, the sum of \$55,000 to fund the cost elements of the collective bargaining agreement between the Town and the Seekonk Communications and Clerical Union, for a term beginning July 1, 2020 through June 30, 2022, or take any other action relative thereto

Motion 7: Moved the Town appropriate from Free Cash the sum of \$55,000 to fund the cost elements of the collective bargaining agreement between the Town and the Seekonk Communications and Clerical Union, for a term beginning July 1, 2020 through June 30, 2022.

Action on the motion: Motion passed

ARTICLE 8

To see if the Town will vote to reduce the number of residents appointed to the DPW Building Committee from seven (7) to (5) consisting of five residents, two to be appointed by the Town Moderator, and three to be appointed by the Board of Selectmen for the purpose of overseeing the construction of a new DPW facility at 351 Fall River Ave, under the direction of the Board of Selectmen, to include but not be limited

to, planning and design for the completion of the building, development of appropriate designs, schematics, specifications, cost estimates, oversight of expenditures, and any other documentation required to construct and furnish such facility, or to take any other actions related thereto

Motion 8: *A motion was made that the Town authorize the reduction of the DPW Building members from seven (7) to five (5), consisting of five residents, two to be appointed by the Town Moderator, and three to be appointed by the Board of Selectmen for the purpose of overseeing the construction of a new DPW facility at 351 Fall River Ave, under the direction of the Board of Selectmen, to include but not be limited to, planning and design for the completion of the building, development of appropriate designs, schematics, specifications, cost estimates, oversight of expenditures, and any other documentation required to construct and furnish such facility.*

Motion was made to make an amendment to correct an error in original motion: change (7) to (9). Motion passed. Motion was made on corrected motion to reduce from (9) to (5) members: Action on the motion: Motion passed.

ARTICLE 9

To see if the Town will vote to appropriate \$2,000,000 for the purchase of a parcel of land for active and passive recreation, open space and historic preservation purposes located on Elm Street and Lincoln Street in Seekonk, consisting of approximately 40.12 acres of undeveloped land identified as all of Lots 10, 51, 54, and 55 on Seekonk Assessor Map 16 and for all costs incidental and related thereto, and to meet said appropriation, to transfer the sum of \$1,692,389 from the Community Preservation Fund Undesignated Reserve and the sum of \$307,611 from the Community Preservation Fund Historic Reserve; and to authorize the Board of Selectmen to acquire the fee or lesser interest in said land and any related easements by gift, purchase, eminent domain or otherwise for conservation and passive recreation purposes, with the Seekonk Conservation Commission having the care, custody and control of said land under the provisions of MGL Ch. 40, Section 8C; and to authorize the Conservation Commission and the Board of Selectmen to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the LAND grant program under MGL Ch.132A, §11, any other state or federal programs including those in aid of conservation land acquisition and/or any others in any way connected with the scope of this Article; said gifts or grants to be deposited in the Community Preservation Fund as required by G.L. c.44B, §7; and that the Board of Selectmen be authorized to grant a perpetual conservation restriction on said parcel of land meeting the requirements of M.G.L. Chapter 44B, §12 and M.G.L. Chapter 184, §§ 31-33, and to further authorize said board and commission to enter into all agreements and execute any and all instruments as may be necessary to affect said purchase, or take any other action relative thereto.

[See motion next page]

Motion 9:

A motion was made that the Town appropriate \$2,000,000 for the purchase of a parcel of land, for active and passive recreation, open space and historic preservation purposes, located on Elm Street and Lincoln Street in Seekonk, consisting of approximately 40.12 acres of undeveloped land identified as all of Lots 10, 51, 54, and 55 on Seekonk Assessor Map 16, and for all costs incidental and related thereto, and to meet said appropriation, to transfer the sum of \$1,692,389 from the Community Preservation Fund Undesignated Reserve and the sum of \$307,611 from the Community Preservation Fund Historic Reserves; and to authorize the Board of Selectmen to acquire the fee or lesser interest in said land and any related easements by gift, purchase, eminent domain or otherwise for conservation and passive recreation purposes, with the Seekonk Conservation Commission having the care, custody and control of said land under the provisions of MGL Ch. 40, Section 8C; and to authorize the Conservation Commission and the Board of Selectmen to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the LAND grant program under MGL Ch.132A, §11, any other state or federal programs including those in aid of conservation land acquisition and/or any others in any way connected with the scope of this Article; said gifts or grants to be deposited the Community Preservation Fund as required by G.L. c.44B, §7; and that the Board of Selectmen be authorized to grant a perpetual conservation restriction on said parcel of land meeting the requirements of M.G.L. Chapter 44B, § 12 and M.G.L. Chapter 184, §§ 31-33, and to further authorize said board and commission to enter into all agreements and execute any and all instruments as may be necessary to affect said purchase.

Action on the motion: Motion passed by a 2/3 majority

ARTICLE 10

To see if the Town will vote, pursuant to G.L. c.43B, §10(a), to amend the Town Charter as set forth in a document attached to this warrant as "Appendix A", and as on file with the Town Clerk and posted on the website at www.seekonk-ma.gov, with text to be deleted indicated by ~~strikethrough~~ and proposed new language inserted shown in **red**, and with explanations, not intended to be part of the Charter shown in bold *italics* and preceded by the word "**NOTE:**", or take any other action relative thereto.

Motion 10:

Move that the Town vote, pursuant to G.L. c.43B, §10(a), to amend the Charter of the Town of Seekonk by deleting the text shown in ~~strikethrough~~ and making the revisions shown in red font in the document attached to the warrant as "Appendix A", and excluding all explanatory text in italics preceded by the word "NOTE".

2/3 Vote Required

(3) Motions were made to strike changes in Sec 3. Action on all motions failed.

Motion (4) was made to indefinitely postpone entire article 10. Action on the Motion: Motion passed with a 2/3 majority. Article 10 indefinitely postponed.

A Motion was made to dissolve the Town Meeting at 10:05PM

Action on the motion: Motion passed with a unanimous vote.